



January 27, 2021

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**VIA E-FILE**

Magistrate Judge Sarah Cave  
United States District Judge  
United States District Court  
Southern District of New York  
40 Foley Square  
New York, NY 10007

Cc: Honorable J. Paul Oetken

Re: Carole Daane v. Ryder Truck Rental, Inc., Postal Fleet Services, Inc., and  
Melvin Allen  
Case Number : 1: 18 CV 10489

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Dear Judge Cave:

Please accept this as our request to extend the close of expert discovery deadline to complete *very limited* expert discovery. Specifically, the independent medical examination of plaintiff which is already scheduled for February 12, 2021 with Dr. Masur and the expert deposition of Dr. Golzad. This is the first request for an extension. Plaintiff's counsel did not provide their consent to the extension of the deadline but do provide their consent producing plaintiff for the scheduled independent medical examination and participating in the deposition of Dr. Golzad, if the court grants the extension.

We note importantly that the independent medical examination with Dr. Masur was timely served on November 13, 2021. See **Exhibit A**. The designation allowed plaintiff's counsel to schedule the independent medical examination. To date plaintiff's counsel failed to do so. Our office has attempted to call and sent multiple emails to plaintiff's counsel regarding the independent medical examination. Thereafter, our office timely served a designation with a date certain. See, **Exhibit B**. Further, the subpoena was timely served on Dr. Golzad on January 15, 2021. See **Exhibit C**. However, based on the scheduling needs of Dr. Golzad in light of the growing COVID cases in New York, his office requested the deposition be rescheduled on February 12, 2021 at 10:30 am. Further, our office was unable to reach plaintiff's counsel regarding the subpoena date until late last night.

We would request the expert discovery deadline be extended from January 29, 2021 to February 15, 2021 to complete the above outlined discovery. Further, we request the dispositive motion deadline be extended from March 12, 2021 to March 26, 2021.

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Best regards,  
Wilson Elser Moskowitz Edelman & Dicker LLP

*Christin Brown*

Christin Brown

Cc: All parties via ECF

Defendants' Letter-Motions requesting an extension of the expert discovery deadline, which appear to be identical, (ECF Nos. 91–92), are GRANTED.

The deadline for expert discovery is EXTENDED until **Monday, February 15, 2021** and the parties shall file a letter certifying the completion of expert discovery by **Tuesday, February 16, 2021**.

The parties shall adhere to Judge Oetken's Individual Practices in Civil Cases concerning the deadlines for, and content of, any Motion for Summary Judgment and Joint Pretrial Order.

The Clerk of Court is respectfully directed to close ECF Nos. 91–92.

SO-ORDERED 2/2/2021

  
SARAH L. CAVE  
United States Magistrate Judge